

Panaji, 22nd November, 2007 (Agrahayana 1, 1929)

SERIES II No. 34



# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

*Note:- There are three Extraordinary issues to the Official Gazette, Series II No. 33 dated 15-11-2007 as follows:-*

- 1) *Extraordinary dated 15-11-2007 from pages 1005 to 1006 regarding Notifications from Departments of Elections (Goa State Election Commission) & Finance (Budget Division) and Corrigendum from Science, Technology & Environment.*
- 2) *Extraordinary (No. 2) dated 19-11-2007 from pages 1007 to 1008 regarding Notifications from Department of Elections (Goa State Election Commission).*
- 3) *Extraordinary (No. 3) dated 20-11-2007 from pages 1009 to 1010 regarding Notification from Department of Finance [Finance (Audit) Division].*

### GOVERNMENT OF GOA

#### Department of Agriculture

Directorate of Agriculture

#### Order

No. 8/60/2007-08/D.Agr/258

Government is pleased to order transfer of the following Agricultural Officers, Group 'B' Gazetted, of this Directorate with immediate effect in public interest.

Sr. No.	Name of the Officer	Present posting	Transferred to
1	2	3	4
1.	Smt. Shoban Ugvekar	Zonal Agri. Officer, Mapusa	Agricultural Officer (Pub.) H. Qrs., Tonca
2.	Shri Shaba Verekar	Soil Survey Incharge, CADA, WRD, Margao, now relieved and reported to Directorate of Agriculture, Panaji	Zonal Agricultural Officer, Tiswadi vice Smt. Ana Camara transferred
3.	Smt. Ana Camara	Zonal Agricultural Officer, Tiswadi	Agricultural Officer (Hort.) H. Qrs.

Wherever, the transferees do not change their place of residence from old station to new station, they will not be entitled for availing of joining time nor T.A. as provided under CCS (Joining) Rules. Officers at Sr. Nos. 1 and 2 shall move first.

By order and in the name of the Governor of Goa.

S. S. P. Tendulkar, Director of Agriculture & Joint Secretary (ex officio).

Tonca-Caranzalem, 5th November, 2007.

#### Order

No. 1/4/1/2004-05/D.Agr/260

The deputation of Shri Tadeu Rodrigues, ADA presently working as General Manager, Goa State Horticulture Corporation Ltd., Panaji is hereby curtailed with effect from 06-11-2007 with directions to report to the Director of Agriculture for further posting.

Shri Yadvendra Dessai, ADA (Cashew) is hereby transferred on deputation against the post of General Manager, Goa State Horticulture Corporation Ltd., Panaji, initially for a period of two years with effect from 06-11-2007 to 05-11-2009. His deputation shall be governed as per standard terms and conditions of deputation issued by the Government from time to time.

Shri Yadvendra Dessai, ADA shall move first.

This issues with the approval of the Government.

By order and in the name of the Governor of Goa.

S. S. P. Tendulkar, Director of Agriculture & Joint Secretary (ex officio).

Tonca-Caranzalem, 5th November, 2007.

**Order**

No. 8/60/2007-08/D.Agri/261

Government is pleased to promote the following Agricultural Officers, Group 'B' Gazetted in the pay scale of Rs. 6,500-200-10,500 to the post of Asstt. Director of Agriculture in the pay scale of Rs. 8,000-275-13,500 purely on ad hoc basis with immediate effect initially for a period of one year or till the post is filled on regular basis.

Sr. No.	Name of the Officer	Present posting	Posting on promotion
1.	Shri Madhav B. Kelkar	Manager (Farms), Goa State Horticultural Corporation Ltd.	Asstt. Director of Agriculture (WS)
2.	Shri Nevil Alphonso	Input & Extension Incharge, Goa Tillari Irrigation Development Corporation	Manager (Farms) GSHCL, Panaji.

The above ad hoc promotion will not bestow on the above officers any claim for regular promotion and the service rendered on ad hoc basis in the grade will not count for the purpose of seniority in that grade for eligibility for promotion to the next higher grade.

By order and in the name of the Governor of Goa.

*S. S. P. Tendulkar*, Director of Agriculture & ex officio Joint Secretary.

Tonca-Caranzalem, 5th November, 2007.

**Order**

No. 8/60/2007-08/D.Agri/263

Government is pleased to promote the following Asstt. Agricultural Officers to the post of Agricultural Officers, Group 'B' Gazetted in the pay scale of Rs. 6,500-200-10,500 purely on ad hoc basis initially for a period of one year or till the posts are filled on regular basis whichever is earlier.

On promotion they are posted as under:

Sr. No.	Name of the Officer	Present posting	Posting on promotion as Agriculture Officer
1.	Shri Dattaprasad Dessai	Zonal Agri. Office, Canacona	Zonal Agri. Officer, Sanguem
2.	Shri Girish G. Prabhu Dessai	Zonal Agri. Office, Sanguem	Input & Extension Incharge, GTIDC
3.	Shri Anil A. de Noronha	Zonal Agri. Office, Mapusa	Zonal Agri. Officer, Mapusa
4.	Shri Shivram B. Naik Gaonkar	Zonal Agri. Office, Quepem	Zonal Agri. Officer, Quepem.

The above ad hoc promotion will not bestow on the above officers any claim for regular promotion and the

service rendered on ad hoc basis in the grade will not count for the purpose of seniority in that grade for eligibility for promotion to the next higher grade.

By order and in the name of the Governor of Goa.

*S. S. P. Tendulkar*, Director of Agriculture & ex officio Joint Secretary.

Tonca-Caranzalem, 5th November, 2007.

**Order**

No. 8/36/2007/D.Agri/265

Government is pleased to order transfer of the following Asstt. Director of Agriculture of this Directorate in public interest with immediate effect.

Sr. No.	Name of the Officer	Present posting	Transferred to
1.	Shri Tadeu Rodrigues	General Manager, GSHCL	ADA (Planning) vice Shri Nelson Figueiredo transferred
2.	Shri Nelson Figueiredo	ADA (Planning)	ADA (Cashew) vice Shri Yadvendra Dessai transferred.

By order and in the name of the Governor of Goa.

*S. S. P. Tendulkar*, Director of Agriculture & Joint Secretary (ex officio).

Tonca-Caranzalem, 5th November, 2007.

**Order**

No. 1/4/1/2004-05/D.Agri/267

Government is pleased to repatriate Shri P. Tufani, Dy. Director of Agriculture who is presently working on deputation to Goa Tillari Irrigation Development Corporation, Mapusa with effect from 09-11-2007 (AN).

On repatriation, Shri P. Tufani is posted as Dy. Director of Agriculture (PP), Directorate of Agriculture, Krishi Bhavan, Tonca, Caranzalem-Goa.

By order and in the name of the Governor of Goa.

*S. S. P. Tendulkar*, Director of Agriculture & ex officio Secretary.

Tonca-Caranzalem, 6th November, 2007.

**Order**

No. 1/4/1/2004-05/D.Agri/271

Shri V. D. Deshmukh, Dy. Director of Agriculture (Plant Protection) is hereby transferred on deputation against the post of Dy. Director of Agriculture to Goa Tillari Irrigation Development Corporation initially for a period of two years with effect from the date of his joining till 06-11-2009.

The deputation of Shri V. D. Deshmukh, Dy. Director of Agriculture (Plant Protection) shall be governed by the standard terms and conditions of deputation issued by the Government from time to time.

Shri V. D. Deshmukh, Dy. Director of Agriculture (Plant Protection) shall not be entitled to deputation allowance as per Chapter III, para 16(5) of the GTIDC Act, 1999. However, the leave salary and pension contribution shall be borne by Goa Tillari Irrigation Development Corporation during his tenure on deputation.

Shri V. D. Deshmukh, Dy. Director of Agriculture (Plant Protection) shall be paid an incentive of Rs. 1000/- per month as approved by the Goa Tillari Irrigation Development Corporation during the period of his deputation.

This is issued with the approval of the Government.

By order and in the name of the Governor of Goa.

*S. S. P. Tendulkar*, Director of Agriculture & ex officio Joint Secretary.

Tonca-Caranzalem, 7th November, 2007.

## Department of Education, Art & Culture

Office of Secretary (Education)

### Order

No. 5/DTE/Misc/2006-07/5106

Approval of the Government is hereby conveyed to the following teachers, who were working under the control of the Directorate of Technical Education for a temporary and one time exemption from the operation of clause 7-a, b, c (teaching load) of the AICTE Notification No. 17/9/18/AICTE/2000/DTE/129 and 130 dated 17th April, 2006 for the entire period served by them in performing duties against various administrative posts in the Directorate of Technical Education. Therefore, the services thus rendered by them in the Directorate shall be treated at par with their teaching duties in the respective institutes for all purposes, including for AICTE pay scales, increments, career advancement and vacation etc., as have been detailed in the AICTE Notification afore-stated.

1. Shri Subhash Borker – Asstt. Prof. Electrical Engg., Goa College of Engineering
2. Smt. Anita Barreto – HOD, Food Tech., Govt. Polytechnic, Panaji
3. Shri K. N. Subhash – HOD, Mining, Govt., Polytechnic, Bicholim
4. Shri P. Savoikar – HOD, Civil Engg., Govt. Polytechnic, Bicholim
5. Shri R. M. Bhobe – Lecturer, Mechanical Engg., Govt. Polytechnic, Bicholim
6. Shri Umesh M. Sardesai – Lecturer in Mechanical Engg., Govt. Polytechnic, Panaji

7. Shri B. D. Naik – Lecturer in Geology, Govt. Polytechnic, Bicholim
8. Shri R. P. Joshi – Lecturer in Civil Engg., Govt. Polytechnic, Panaji
9. Shri Audhut Kuvelkar – Lecturer in Mechanical Engg., Govt. Polytechnic, Panaji
10. Shri Mohan Rao – HOD, Civil Engg., Govt. Polytechnic, Panaji.

This issues with the concurrence of the Finance Department vide U.O. No. 2847 – F dated 13-9-2007.

By order and in the name of the Governor of Goa.

*Uddipta Ray*, Secretary (Education).

Panaji, 7th November, 2007.

### Corrigendum

No. 5/DTE/MISC/2006-07/5107

Read order:- 5/DTE/Misc/2006-07/1428 dated 17th August, 2007.

In the above mentioned order at Sr. No. 3 the designation of Shri Pradeep K. Kusnur shall be read as “Deputy Director – CAD” in place of “Assistant Director – CAD”.

By order and in the name of the Governor of Goa.

*Uddipta Ray*, Secretary (Education).

Panaji, 7th November, 2007.

## Directorate of Technical Education

### Order

No. 17/4/47/DTE/96-97/5093

Sanction of the Government is hereby conveyed for the regularization of appointment of Shri Shashank G. Kamat w.e.f. 31-01-1997 to the post of Lecturer in Architectural Assistantship in the Womens' Wing in Government Polytechnic, Altinho, Panaji in the pay scale of Rs. 2,200-75-2,500-EB-100-4,000 (Revised pay scale of Rs. 8,000-275-13,500).

This is issued with the consent of Goa Public Service Commission, vide their letter No. COM/I/6/34(3)/07/1474 dated 3rd October, 2007.

This supersedes the earlier order No. DTE/SPIU/WBAP/New-Posts/95-96/5788 dated 04-12-1997.

By order and in the name of the Governor of Goa.

*Dr. J. Chandrasekhar*, Director of Technical Education and ex officio Additional Secretary.

Alto-Porvorim, 6th November, 2007.

Department of Finance

Revenue & Control Division

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**Notification**

No. 3/2/2006-Fin(R&C)(3)

In exercise of the powers conferred on the Government under Section 2A of Goa Entertainment Tax Act, 1964 (Act No. 2 of 1964) (hereinafter referred to the said Act), hereby appoint Shri Vallabh K. Kamat and Shri Shamsundar G. Korgaonkar, as the Commissioner and the Additional Commissioner of Entertainment (Commissioner and the Additional Commissioner of Commercial Taxes) to carry out the purposes of the said Act.

This notification comes into effect immediately.

By order and in the name of the Governor of Goa.

*Vasanti H. Parvatkar*, Under Secretary, Fin. (R&C).

Porvorim, 6th November, 2007.

**Notification**

No. 30/1/2006-Fin(R&C)(8)

In exercise of the powers conferred on the Government under sub-section (1) of Section 3 of Goa Tax on Luxuries Act, 1988 (Act 17 of 1988) (hereinafter referred to the said Act), the Government hereby appoints Shri Vallabh K. Kamat and Shri Shamsundar G. Korgaonkar, as the Commissioner and the Additional Commissioner of Luxury Tax (Commissioner and the Additional Commissioner of Commercial Taxes) respectively to carry out the purposes of the said Act.

This notification comes into effect immediately.

By order and in the name of the Governor of Goa.

*Vasanti H. Parvatkar*, Under Secretary, Fin. (R&C).

Porvorim, 6th November, 2007.

**Notification**

No. 4/5/2005-Fin(R&C)(42)

In exercise of the powers conferred by sub-section (1) of Section 13 of Goa Value Added Tax Act, 2005 (Act 9 of 2005) (hereinafter referred to the said Act) the Government hereby appoint Shri Vallabh K. Kamat, as Commissioner of Commercial Taxes, to carry out the purposes of the said Act.

Similarly, in exercise of the powers conferred under Section (2) of Section 13 of the said Act, the Government appoints Shri Shamsundar Korgaonkar, as Additional Commissioner to carry out the purpose of the said Act.

The notification is issued with immediate effect.

By order and in the name of the Governor of Goa.

*Vasanti H. Parvatkar*, Under Secretary, Fin. (R&C).

Porvorim, 6th November, 2007.

Department of Forest

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**Notification**

No. 2-2-2007/FOR/337

Whereas the Government of Goa is aware of the vital role played by the Mangroves eco-system of the estuarine rivers, which occur in localized patches.

1. And whereas the Government of India through Ministry of Environment & Forests is co-ordinating a national endeavour to project, generate and develop Mangroves Forests.
2. And whereas there are many Government Departments in Goa (Fisheries, Revenue, Ports Administration) who own the mangroves areas besides the Forest Department.
3. And whereas State Level Steering Committee constituted by the Government of Goa has recommended Forest Department of Goa to be the Nodal Agency for any activity related to management of Mangroves in all areas in the State of Goa.

Therefore the Forest Department of Goa shall function as Nodal Agency and shall be vested with the following duties and responsibilities.

- I. To formulate policy for conservation/protection of the existing mangroves vegetation in the Government as well as in the private areas and afforestation on suitable sites.
- II. To process all proposals related to any activity in the mangroves areas irrespective of its ownership for submission of the State Government.
- III. To undertake identification, survey and mapping of mangroves vegetation in the entire State.
- IV. To undertake research on all aspects of mangroves.

The Goa Forest Department shall start functioning as "Nodal Agency" from the date of publication of the Notification in the Official Gazette.

By order and in the name of the Governor of Goa.

*Jessie Freitas*, Under Secretary (Forests).

Porvorim, 13th November, 2007.

## Department of Labour

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Order

No. 28/42/2007-LAB/1093

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Binani Glass Fibre Industries Limited, Colvale, Bardez-Goa, and their workperson, Smt. Prabhavati Kauthankar, Helper, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

## SCHEDULE

"(1) Whether the action of the management of M/s. Binani Glass Fibre Industries Limited, Colvale, Bardez-Goa, in terminating the services of Smt. Prabhavati Kauthankar, Helper, with effect from 01-05-2004, is legal and justified?

(2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

*Hanumant T. Toraskar*, Under Secretary (Labour).

Porvorim, 9th November, 2007.

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Order

No. 28/43/2007-LAB/1098

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Shri Hanuman Natyagrah (Shri Maharudra Saunthan), Mapusa, Bardez-Goa, and their workman, Shri Anant B. Mahajan, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

## SCHEDULE

"(1) Whether the action of the management of M/s. Shri Hanuman Natyagrah (Shri Maharudra Sausthan), Mapusa, Bardez-Goa, in terminating the services of Shri Anant B. Mahajan, Manager, with effect from 18-09-2005, is legal and justified?

(2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

*Hanumant T. Toraskar*, Under Secretary (Labour).

Porvorim, 9th November, 2007.

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Order

No. 28/3/2007-LAB/1103

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Phil Corporation Limited, Thivim Industrial Estate, Thivim, Karaswada, Bardez-Goa, and its workman, Shri Santosh K. Kudnekar, Junior Officer, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

## SCHEDULE

"(1) Whether, Shri Santosh K. Kudnekar, Junior Officer could be construed as 'Workman' as defined under clause (s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947)?

(2) If the answer to the issue No. (1) above is in the affirmative then, whether the action of the management of M/s. Phil Corporation Limited, Thivim Industrial Estate, Karaswada, Mapusa, Bardez-Goa, in terminating the service of Shri Santosh K. Kudnekar, with effect from 22-07-2006, is legal and justified?

(3) If the answer to issue No. (2) above is in the negative, then, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

*Hanumant T. Toraskar*, Under Secretary (Labour).

Porvorim, 9th November, 2007.

**Order**

No. 28/41/2007-LAB/1108

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Shree Communication Systems Private Limited, Ponda, Goa, and their workman, Shri Shivdas Satarkar, Marketing Representative, in respect of the matter specified in Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under Section 7-A of the said Act.

**SCHEDULE**

"(1) Whether, the action of the management of M/s. Shree Communication Systems Private Limited, Ponda, Goa, in refusing employment to Shri Shivdas Satarkar, Marketing Representative, with effect from 01-08-2006, is legal and justified ?

(2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

*Hanuman T. Toraskar*, Under Secretary (Labour).

Porvorim, 9th November, 2007.

**Notification**

No. 28/18/2007-LAB/1001

The following Award passed by the Industrial Tribunal of Goa, at Panaji-Goa, on 28-9-2007 in reference No. IT/23/97 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Hanumant T. Toraskar*, Under Secretary (Labour).

Porvorim, 16th October, 2007.

IN THE INDUSTRIAL TRIBUNAL  
CUM-LABOUR COURT-I  
AT PANAJI

(Before Dilip K. Gaikwad, Presiding Officer)

Case No. IT/23/97

Shri Vijay Laxman Birje,  
1034, Kenchapur, Galli,  
Kanapur 501 302,  
District Belgaum.

... Workman/Party I

V/s

M/s. Goa State Co-operative Bank Ltd.,  
Head Office,  
Panaji Goa.

... Employer/Party II

Party I/Workman is represented by Subhash Naik (representative).

Party II/Employer is represented by Adv. Mukund Pai.

**AWARD**

(Passed on this 28th day of September, 2007)

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, hereinafter in short referred to as the said Act, 1947.

1. Facts giving rise to the present reference stated in brief are as follows:-

The Government of Goa in exercise of powers conferred on it by Section 10(1)(d) of the said Act, 1947, under order dated 23-3-1997 has referred to this Industrial Tribunal following dispute for adjudication:-

i) Whether the action of the management of the Goa State Co-operative Bank Limited, Pale, in terminating the services of the workman, Shri Vijay L. Birje, Accountant, with effect from 6-1-1983 is legal and justified ?

ii) If not to what relief the workman is entitled ?

2. In response to notices both parties put their appearance in this Industrial Tribunal. Party I presented his claim statement on 6th June, 1997 at Exb. 4. It appears from the claim statement that the Party I was appointed as Supervisor on probation in establishment of the Party II with effect from 12-8-1972 for a period of six months. He came to be confirmed as Supervisor after completion of the probation period. Later on, he was promoted to the post of Officer, which is known as Inspector and Accountant. His duties were mainly of clerical nature. It was his duty to scrutinize loan proposals/applications received from various branches of the Party II and to place the same before Manager for further necessary action. The Manager with prior approval of the Board of Directors of the Party II was sanctioning loans. The Party II issued charge-sheet on or about 27-3-1982 by making several allegations of misconduct against the Party I. One of the allegations was that the Party I did not properly advise his superiors in regard to loan proposals which were sanctioned by the Party II. By letter dated 25-3-1982 the Party II suspended the Party I from service with immediate effect. The Party I gave reply on 1-10-1982 to the charge-sheet. The Party II appointed Advocate G. V. Tamba as Inquiry Officer who inturn conducted inquiry

into allegations of misconduct levelled against the Party I. The Inquiry Officer held the Party I guilty only in respect of charges related to loan proposals submitted to D. T. Parker and Mohammed Jamir Khan and exonerated the Party I from other allegations of misconduct. So far the charges of which the Party I was held guilty by the Inquiry Officer, it was allegation that though the loan proposals submitted by D. T. Parker and Mohammed Jamir Khan were sanctioned by the Party II, their loans should not have been released by the Party I. By letter dated 6-1-1983, the Party II dismissed the Party I from service with immediate effect. The Party II did not issue show cause notice to the Party I before dismissal from the service. The Party I by sending letter requested chairman of the Party II to reinstate him in the service with full back wages and continuity in the service. The Party II turned down his request as a result the Party I raised a dispute before Labour Commissioner, Government of Goa, Panaji. Management of the Party II did not give proper response which resulted into failure of conciliation proceeded held by the Labour Commissioner. Thereafter, the Government of Goa referred the dispute to this Industrial Tribunal for adjudication as stated earlier.

3. According to the Party I the departmental inquiry held against him is in violation of principles of natural justice. Findings recorded by the Inquiry Officer and which are against him are perverse. The Party II did not consider his past record of service before he is dismissed from the service. Termination of his service with effect from 6-1-1983 is illegal and unjustified. The loans which were availed by D. T. Parker and by Mohammed Jamir Khan are repaid by them with interest. He did not commit fraud. Considering gravity of the charge proved against him, punishment of dismissal from the service is highly disproportionate and unjust. Since after his dismissal from the service, he is not employed anywhere. Therefore, by presenting the claim statement he has prayed for setting aside dismissal order and for reinstatement in the service with full back wages and with continuity in the service.

4. The Party II in answer to the claim statement filed its written statement on 19-7-1997 at Exb 5. It appears from written statement that there is no industrial dispute within meaning of Section 2(k) of the said Act, 1947. The Party I was employed in a supervisory capacity. He was drawing wages more than Rs. 600/- per month. He is not a workman within meaning of Section 2(k) of the said Act, 1947. Therefore, this court has no jurisdiction to try and to entertain the reference. The Government of Goa under its letter dated 9-4-1985 had refused earlier request of the Party I for making reference to the Industrial Tribunal. The present reference is the second reference on the same issue and as such it is barred and bad in law. Duty of the Party I was not only to scrutinize loan proposals, but also to advise high authority in regard to sanction of the loan proposals. His duties were of supervisory nature. He was involved in such activities which were prejudicial to the interest of the

Party II. The irregularities committed by the Party I were brought to his notice. In spite of giving opportunities he did not make improvement in his official conduct. Therefore, there was no alternative but to issue charge-sheet and to hold inquiry against him. He was allowed by inquiry officer to engage officer to represent his case in the inquiry proceedings. Misconduct proved against the Party I in the departmental inquiry is major misconduct. The departmental inquiry held against the Party I is not in violation of principles of natural justice. Considering report submitted and seriousness of finding recorded by the Inquiry Officer, the Party II decided to dismiss the Party I from service with effect from 6-1-1983. The dismissal is proportionate having regard to the nature of misconduct committed by him. He is not entitled to notice before the dismissal. He is carrying on business as Supply Agent. He is gainfully employed. The Party II has lost confidence in the Party I. If the Party I is reinstated in the service that will cause great prejudice to interest of the Party II. On these and the above grounds, the Party II has prayed for dismissal of the reference.

5. The Party I submitted his rejoinder on 7-8-1997 at Exb. 6. He has denied in the rejoinder all contentions which are raised by the Party II in its written statement and which are adverse to his interest. It is not necessary to reproduce the denials.

6. On basis of pleadings of both parties the then learned Presiding Officer framed issues on 26-8-1997 at Exb. 7. The issues are as follows:-

1. Whether the Party I proves that the domestic inquiry held against him is not fair and proper?
2. Whether the charges of misconduct levelled against the workman are proved to the satisfaction of the Tribunal by acceptable evidence?
3. Whether the Party I proves that the action of the Party II in terminating his services with effect from 6-1-1983 is illegal and unjustified ?
4. Whether the Party II proves that this Tribunal has no jurisdiction to decide the reference because the dispute referred is not an industrial dispute?
5. Whether the Party II proves that the Party I is not a workman and hence this Tribunal has no jurisdiction to decide the dispute?
6. Whether the Party II proves that the present reference is barred and bad in law?
7. Whether the Party II proves that the Party I is gainfully employed since the date of termination of his services?
8. Whether the Party I is entitled to any relief?
9. What Award?

7. The then learned Presiding Officer treated the above issues No. 1, 2, 4, 5 and 6 as preliminary issues. The Party I examined himself at Exb. 10. The Party II examined the Enquiry Officer, G. K. Tamba at Exb. 11 and C. A. Dessai at Exb. 12 on its behalf. The then learned Presiding Officer by reasoned order dated 6-7-2001 (Exb. 13) decided the preliminary issues number 4, 5 and 6 and hold that the Party I is a workman as defined under Section 2(s) of the said Act, 1947, that the reference is maintainable and that this Tribunal has jurisdiction to decide the dispute. The then learned Presiding Officer by his another order dated 7-2-2003 (Exb. 19) decided the Preliminary issue No. 1 and held that the domestic inquiry held against the Workman/Party I is not fair and proper. He set aside the inquiry. It appears from this order that since the inquiry held against the Party I is proved to be not fair and proper and the same is liable to be set aside, the then learned Presiding Officer hold that the question of deciding whether the question of misconduct are proved against the misconduct in the inquiry does not arise. Pursuant to application dated 11-11-2003 (Exb. 22) moved by the Party II, the then learned Presiding Officer by order dated 10-2-2004 permitted the Party II to lead additional evidence before this Tribunal in support of the charges.

8. The then learned Presiding Officer decided the above issue No.1 under order dated 7-2-2003 (Exb. 19) and the issues No. 4, 5 and 6 under order dated 6-7-2001 (Exb. 13) as preliminary issues. Therefore, the reference proceeded further only in respect of issues number 2, 3 and 7 to 9. The issues number 2 and 3 are recast by me and those are as follows:-

2. Does the Party II prove that the Party I is guilty of misconduct?
3. Whether action of the Party II in terminating services of the Party I w.e.f. 6-1-83 is legal and justified ?

9. My findings on the above recast issues No. 2, 3 and on issues number 7 to 9 are as follows:—

Issue No. 2. In the negative.

Issue No. 3. In the negative.

Issue No. 7. In the negative.

Issue No. 8. Entitled to 75% of back wages.

Issue No. 9. As per final order.

#### REASONS

10. *Issue No. 2:-* The Party II filed affidavit of C. K. Dessai at Exb. 29 on its behalf to prove charge of misconduct against the Party I. He is working as a General Manager of the Party II. It appears from the affidavit that, agricultural loans of Rs. 43,000/- and of Rs. 34,000/- were sanctioned to D. T. Parkar and to Mohammed Jamil Khan by the Party II under letters dated 19-3-1979 and 5-4-1980 subject to terms and conditions stated in these two letters, respectively. First installment of the loan was disbursed to D. T. Parkar and to his mother Smt. Savitri Parkar on 26-3-1979. D. T.

Parkar by letter dated 6-7-79 requested the Party II to release second installment. The Party I recommended on 7-7-79 to release the second installment without verification and without report from the concerned officer authorized in this behalf. After utilization of first installment of the loan by Mohammed Jamil Khan the then Agricultural Assistant recommended under letter dated 10-5-1980 to disburse second installment of the loan to Mohammed Jamil Khan. The recommendation was addressed to the Manager of the Party II. Even though the recommendation was to release the second installment only, the Party I recommended on 13-5-80 to release second and third installments of the loan to Mohammed J. Khan without verification and without report from concerned officer authorized in this behalf.

11. Further, it appears from the affidavit of the witness Shri C. K. Dessai that the Party I recommended release of second installment of the loan to the borrower D. T. Parkar and of second and third installments of loan to borrower Mohammed J. Khan without proper verification and without report from the concerned officer authorized in this behalf and thereby, the Party I has committed misconduct.

12. The Party I at the relevant time was working as Inspector in establishment of the Party II. His evidence is at Exb. 35. According to him the loans which were sanctioned to D. T. Parkar and to Mohammed J. Khan, as per the then prevailing practice were credited in their respective individual accounts before he made recommendations to release the installments of loan to these two borrowers. He made recommendation to release second installment of the loan to the borrower D. T. Parkar because this borrower had produced certificate of Engineering stating that this borrower has utilized first installment of the loan. On basis of report submitted by the then Agricultural Assistant A. N. Savoikar, he recommended to release balance of second installment of loan to Mohammed J. Khan. He made recommendation to release third installment of loan to this borrower because of direction from higher authority and also because entire loan amount was already credited in account of this borrower.

13. It is an admitted fact that agricultural loans of Rs. 43,000/- and of Rs. 34,000/- were sanctioned to D. T. Parkar and to Mohammed J. Khan under letters dated 19-3-79 and dated 5-4-80 subject to terms and conditions stated in these two letters respectively. There is no dispute so far release of first installment of loans to these two borrowers are concerned. The dispute relates to release of second installment of loans to D. T. Parkar and of second and third installments to Mohammed J. Khan. Learned advocate of the Party II argued that release of second installment to D. T. Parkar and of second and of third installments to Mohammed J. Khan is recommended by the Party I without proper verification and without getting report from concerned officer authorized in this behalf. Such act on part of the Party I, amounts to misconduct. Therefore, he urged to hold that the Party II has proved the charge of



misconduct against the Party I. To counter argument advanced by him, representative of the Party I submitted that there is no sufficient and clinching evidence from side of Party II to prove charge of misconduct against the Party I. Even for the sake of argument assuming that release of the second installment of loan to D. T. Parkar and of second and third installments of loan to Mohammed J. Khan is recommended by the Party I without proper verification and without report from the concerned officer, at the most it can be said that the Party I has committed irregularity in recommending release of these installments. Such irregularity cannot be attributed to misconduct. Therefore, according to him it cannot be held that the Party II has proved the charge of misconduct against the Party I.

14. Xerox copy of application dated 6-7-79 given by the borrower D. T. Parkar to the Manager of Party II is at Exb. 32. It appears from this application that first installment of Rs. 17,000/- of the loan was already released and it was disbursed to D. T. Parkar. He utilized the first installment for land development. Under this application he requested the Manager to release the second installment. Certificate of Engineer regarding utilization of the first installment was enclosed with this application. The Party I made submission in writing at the foot of this application that:

*"The Party be released/permit to withdraw the amount against second installment, since the work is in speed as stated by the applicant and the final installment be released only after verification by the Bank's Technical Officer".*

The witness C. K. Dessai, who is the General Manager of the Party II admitted in para No. 13 of his cross examination that on basis of utilization certificate, release of the second installment was recommended.

15. The Party II has produced xerox copy of the report submitted by the then Agricultural Assistant A. N. Savoikar to the Manager of the Party II in respect of the loan sanctioned to Mohammed J. Khan. The xerox copy is at Exb. 33. It appears from this copy that the Agricultural Assistant personally visited property owned by the borrower Mohammed J. Khan and that, on verification, he concluded that the work done by the borrower is satisfactory and therefore, he recommended to release second installment to the borrower Mohammed J. Khan. Further, he has brought to the notice of the Manager that out of the second installment, the bank has released to the party (borrower) Rs. 8,800/- as per letter dated 2-5-80. So he recommended to release remaining amount of the second installment to the party i.e. to the borrower Mohammed J. Khan. There is submission at the foot of this report by the Party I. He recommended that:

*"the party be released the balance amount in second installment and also third installment".*

16. Recommendation by the Party I to release second installment of loan to D. T. Parkar and of the remaining

balance of second installment of loan to Mohammed J. Khan is based on the utilization certificate given by the Engineer and on the report submitted by the Agricultural Assistant. Under this circumstance, it will not be correct to jump to conclusion that the Party I recommended to release second installment to D. T. Parkar and balance of second installment to Mohammed J. Khan without proper verification. There is no documentary evidence on behalf of the Party II to show that report from concerned officer authorized to make recommendation was necessary and it was required to be considered by the Party I before recommending the release of the installments of loans. In absence of such evidence, I hold that it will not be correct to hold that the Party I recommended release of installments of loans to the said borrowers without getting report from the concerned officer authorized in this behalf.

17. So far recommendation by the Party I to release third installment of loan to Mohammed J. Khan is concerned, the explanation given by the Party I that he made such recommendation as per direction of higher authority, such explanation cannot be accepted. The recommendation by the Party I to release third installment of loan to the borrower, Mohammed J. Khan is before utilization of the entire second installment of the loan by this borrower. It reveals that recommendation by the Party I to release the said third installment is without procedure. Now, it has to be seen as to whether such act on part of the Party I can be termed as misconduct.

18. Learned advocate of the Party II has produced terms of settlement dated 30-6-1979, 14-10-1983 and dated 31-12-1989. These settlements are between the Goa State Co-operative Bank Employees Union and the Party II. Representative of the Party I has no objection to read in evidence the last two out of these three settlements. The first settlement dated 30-6-79 was with effect from 1-1-1978 and it was for a period of five years. This settlement came to an end on 31-12-1983 as rightly pointed out by representative of the Party I. Date of dismissal of the Party I from service is 6-1-1983. Obviously, the settlement dated 30-6-79 is not applicable to the present case.

19. The settlement dated 14-10-83 was with effect from 1-1-83 for a period of four years ending on 31-12-86. This settlement is applicable to the case of Party I having regard to the date of his dismissal from the service. Acts and/omissions constituting misconduct on part of the employees are not stated in this settlement. I, therefore hold that, this settlement is not useful to hold as to whether act of the Party I and which is in the shape of recommendation of the third installment of loan to Mohammed J. Khan amounts to misconduct.

20. The third settlement which is dated 31-12-1989 is also not applicable to the case of Party I for simple reason that the settlement has taken place after the date of his dismissal from service.

21. The Party II did not produce anything on record to show that recommendation to release loan installments to the concerned borrowers were without following proper procedure and which does not cause loss, especially financial loss to it amounts to misconduct. It is not case of the Party II that the Party I by making recommendation to release second installment of loan to D. T. Parkar and remaining balance of second installment and third installment to Mohammed J. Khan caused loss, especially financial loss to it. The entire loans availed by these two borrowers are full satisfied by them. Therefore, even assuming that recommendation by the Party I to release second installment of loan to D. T. Parkar and remaining balance of second and third installment to Mohammed J. Khan is without proper verification and without getting report from the concerned officer authorized in this behalf, if any, such act on part of the Party I is not sufficient to constitute misconduct. At the most, such act can be treated as irregularity. Evidence led by the Party II is not sufficient to hit nail on the head. I, therefore, do not agree with argument advanced by learned advocate of the Party II. My answer to the issue is in negative.

22. *Issue No. 3:-* The Party I is dismissed from service by the Party II w.e.f. 6-1-1983. The Party II did not succeed in proving misconduct on part of Party I for which it has dismissed the Party I from the service. Only on this ground action of the Party II in terminating the services of the Party I cannot be said to be legal and justified.

23. One more ground which is pressed into service by the representative of the Party I requires to be taken into consideration. According to him, the punishment which is to be imposed on an employee by the employer must be commensurate with gravity of act committed by the employee. In the present case, punishment of dismissal which is of extreme nature is highly disproportionate and is not commensurate having regard to nature of the act committed by the Party I. Therefore, in his opinion, dismissal of the Party I from service cannot be said to be legal and justified. He relied upon decision given by the Hon'ble Supreme Court in case of *Rama Kant Mishra v/s. State of U. P. and others* reported in 1982, *FJR.*, Vol. 62, page 100.

24. In the reported case referred to above, the accused who was workman had completed 14 years of service, it was alleged that he had committed misconduct consisting of use of abusive and threatening language towards another workman. The Hon'ble Supreme Court held that punishment from his dismissal from service would be unjustified. The Hon'ble Supreme Court further held that the award of punishment must be commensurate with gravity of offence.

25. In the present case, there is no allegation of fraud or of malafide intention on part of the Party I in making recommendation to release the installments to the said borrowers. There is no financial loss also to the Party II

due to such act committed by the Party I. His dismissal from service which is extreme punishment, prima facie, appears to be illegal and unjustified having regard to gravity or nature of act committed by him. Therefore, and relying upon view taken by the Hon'ble Supreme Court in the reported case alluded Supra, I agree with argument advanced by the representative of Party I. In view of this reason and since the Party II did not succeed in proving misconduct against the Party I, I hold that action of the Party II in terminating the service of the Party I is not legal and not justified. My answer to the issue is in negative.

26. *Issue No. 7:-* The Party II pleaded in para No. 34 of its written statement that the workman i.e. the Party I is gainfully employed from the date of dismissal. The Party II did not lead evidence in support of this pleading. It has come in evidence of Party I that he is not employed anywhere since termination of his service by the Party II. Therefore, and since there is no evidence on behalf of the Party II, I do not accept to case made out by the Party II. My answer to the issue is in negative.

27. *Issue No. 8:-* As per provision contained in Section 11-A of the said Act, 1947, if the Labour Court, Industrial Tribunal or National Tribunal as the case may be is satisfied that the order of discharge or dismissal was not justified, it may, by its Award set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require. For deciding the question of relief, the Tribunal has to examine the circumstances of each case to see whether reinstatement of the dismissed employee is not inexpedient or is not improper. If the case presents certain unusual or exceptional features so as to make reinstatement inexpedient or improper, to meet the ends of justice, the Tribunal has the discretion to award adequate monetary compensation instead of reinstatement.

28. I am satisfied that dismissal of the Party I from the service is illegal and unjustified. The Party I, as it appears from its evidence is of 63 years of age. When he is claiming reinstatement in service it was necessary for him to disclose as to whether he did or did not cross the age of retirement. Nothing such has been done by him. Considering his present age, it can presumably be said that he must have crossed age of retirement. This unusual or exceptional feature makes his reinstatement in the service inexpedient or improper. I therefore hold that he is not entitled to reinstatement in the service.

29. Period of 24 years is over since the date of dismissal of the Party I from the service. Considering nature of the act committed by him and the period which is over from the date of his dismissal award of 75% of the backwages from the date of dismissal of the service till the date of

retirement will meet ends of justice. I therefore hold that the Party I is entitled only to 75% of backwages from the date of dismissal of the service till the date of retirement. I answer the issue accordingly.

As a result of findings given to the Issues No. 2, 3, 7 and 8. I proceed to adjudicate the dispute under reference by passed order as follows:

#### ORDER

1. It is hereby adjudicated that the action of the management of the Goa State Co-operative Bank Limited, Pale, (Party II) in terminating the services of their workman Shri Vijay L. Birje, Accountant (Party I) with effect from 6-1-1983 is not legal and not justified.
2. Order of dismissal of the Party I from service of the Party II is set aside.
3. Prayer of the Party I for reinstatement in the service, rejected.
4. It is hereby adjudicated that the Party I is entitled to 75% of the backwages from the date of dismissal of the service till the date of retirement.
5. No order as to cost.
6. The Award be submitted to the Government of Goa as per provision contained in Sec. 15 of the Industrial Disputes Act, 1947.

Sd/-  
(Dilip K. Gaikwad),  
Presiding Officer,  
Industrial Tribunal-  
-cum-Labour Court-I.

#### Department of Revenue

#### Notification

No. 23/35/2007-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is needed for public purpose, viz. Land Acquisition for the construction of Sanquelim distributory of L.B.M.C. of T.I.P from Ch. 4.60 kms. to Ch. 7.36 kms. in Sarvan Village of Bicholim Taluka.

And whereas, in the opinion of the Government the provisions of sub-section (1) of Section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the said Act, that the said land is needed for the purpose specified above.

The Government further directs under sub-section (4) of Section 17 of the said Act that the provisions of Section 5-A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer (N), Goa Tillari Irrigation Development Corporation, Karaswada, Colvale Road, Bardez-Goa to perform the functions of a Collector, North Goa District, Panaji-Goa, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

- 1) The Collector, North Goa District, Panaji-Goa.
- 2) The Special Land Acquisition Officer (N), Goa Tillari Irrigation Development Corporation, Karaswada, Colvale Road, Bardez-Goa.
- 3) The Executive Engineer, WD-VI, Goa Tillari Irrigation Development Corporation, Sarvan, Bicholim-Goa.
- 4) The Director of Settlement & Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Special Land Acquisition Officer (N), Goa Tillari Irrigation Development Corporation, Karaswada, Colvale Road, Bardez-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Bicholim

Village: Sarvana

Survey No./ /Sub Div. No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3
68/19 O:	Comunidade.	790
T:	Govind Vishram Sawant.	

1	2	3	1	2	3
68/18	O: Comunidade.	380	67/12	O: 1. Sahadev Laxman Sawant.	575
	T: Purushottam Vithal Sawant.			2. Guno Laxman Sawant.	
68/17	O: Comunidade.	95		3. Bhiva Laxman Sawant.	
	T: Vishram Atma Sawant.			4. Babaji Laxman Sawant.	
68/16	O: Comunidade.	25		T: Nil.	
	T: Shiva Yeso Sawant.		67/11	O: Vishwanath Vasudev Sawant.	310
68/14	O: Comunidade.	1535		T: Nil.	
	T: Harichandra Raghunath Sawant.		67/10	O: Arjun Mukand Sawant.	230
68/13	O: Comunidade.	5		T: Nil.	
	T: Balkrishna Sadu Sawant.		67/9	O: Deu Narayan Sawant.	250
68/12	O: Comunidade.	55		T: Nil.	
	T: Purushottam Vithal Sawant.		67/8	O: 1. Datta Govind Sawant.	283
68/11	O: Comunidade.	635		2. Bhikalo Ramchandra Sawant.	
	T: 1. Harichandra Raghunath Sawant.			T: Nil.	
	2. Govind Vishnu Sawant.		67/7	O: Govind Vishnu Sawant.	475
68/10	O: Comunidade.	280		T: Nil.	
	T: Navaso Raghu Sawant.		67/6	O: 1. Harichandra Raghunath Sawant.	505
68/9	O: Comunidade.	350		2. Vishram Atma Sawant.	
	T: 1. Rama Narayan Sawant.			T: Nil.	
	2. Deu Narayan Sawant.		67/5	O: 1. Vishwanath Vasu Sawant.	417
68/8	O: Comunidade.	615		2. Nilu Ragalo Sawant.	
	T: 1. Arjun Mukund Sawant.			3. Surya Ganesh Sawant.	
	2. Shiva Yeso Sawant.			4. Chandru Sagun Sawant.	
68/7	O: Comunidade.	275		5. Deu Narayan Sawant.	
	T: Vishram Atma Sawant.			6. Prakash Balkrishna Sawant.	
68/6	O: Comunidade.	220		7. Parshuram Balkrishna Sawant.	
	T: Rajaram Sajo Sawant.			8. Tulsidas Balkrishna Sawant.	
68/5	O: Comunidade.	285		9. Yeshwant Balkrishna Sawant.	
	T: 1. Govind Vishnu Sawant.			T: Nil.	
	2. Harichandra Raghunath Sawant.		67/4	O: Vishnu Surya Sawant.	465
68/4	O: Comunidade.	20		T: Nil.	
	T: Shiva Yesso Sawant.		67/3	O: Harichandra Raghunath Sawant.	368
57-	O: Comunidade.	1585		T: Nil.	
-57/19	T: Nil.		67/2	O: Rajaram Sajo Sawant.	270
68/3	O: Comunidade.	22		T: Nil.	
	T: Gopal Shankar Sawant.		67/1	O: 1. Vishwanath Vasu Sawant.	95
68/2	O: Comunidade.	18		2. Surya Ganesh Sawant.	
	T: Rajaram Sajo Sawant.			3. Chandru Sagun Sawant.	
68/1	O: Comunidade.	30		4. Deu Narayan Sawant.	
	T: 1. Harichandra Raghunath Sawant.			5. Prakash Balkrishna Sawant.	
	2. Bhikalo Ramchandra Sawant.			6. Parshuram Balkrishna Sawant.	
67/20	O: Harichandra Raghunath Sawant.	1245		7. Tulsidas Balkrishna Sawant.	
	T: Nil.			8. Yeshwant Balkrishna Sawant.	
67/19	O: Vithal Purusho Sawant.	680		T: Nil.	
	T: Nil.		58/0	O: Keshav Fatu Karapurkar.	805
67/18	O: Harichandra Raghunath Sawant.	647		T: Nil.	
	T: Nil.		62	O: Vinayak Hari Sawaikar.	5795
67/17	O: 1. Gopal Shankar Sawant.	310	-62/1	T: Nil.	
	2. Pundalik Shankar Sawant.		62-62/2	O: Bhaskar Babal Sawaikar.	
	T: Nil.			T: Nil.	
67/16	O: 1. Chandru Sagun Sawant.	415	62	O: Mahadev Anant Sawaikar.	
	2. Shiwa Yeso Sawant.		62-62/3	T: Nil.	
	T: Nil.		64/0	O: 1. Harichandra Raghunath Sawant.	6190
67/15	O: Datta Gopi Sawant.	265		2. Purushottam Vithal Sawant.	
	T: Nil.			3. Datta Gopi Sawant.	
67/14	O: Bhikalo Ramchandra Sawant.	225		4. Ramchandra Satu Sawant.	
	T: Nil.			5. Bhikalo Ramchandra Sawant.	
67/13	O: Harichandra Raghunath Sawant.	580		6. Govind Vishnu Sawant.	
	T: Nil.			7. Vishnu Shabi Sawant.	

1	2	3	1	2	3
	8. Shiva Yesso Sawant.		76/1 O:	Guno Laxman Sawant.	980
	9. Chandru Sagun Sawant.		T:	Nil.	
	10. Arjun Nukund Sawant.		76/2 O:	1. Manohar Govind Sawant.	800
	11. Nilu Raghunath Sawant.			2. Dattaram Anant Kalangutkar.	
	12. Surya Ganesh Sawant.			3. Ramkrishna Shantaram Piligaonkar.	
	13. Namdev Jaidev Sawant.			4. Vithal Ladu Gawas.	
	14. Deo Narayan Sawant.			5. Sudhir Laximikant Umarye.	
	15. Rama Narayan Sawant.			6. Ladu Anant Salgaokar.	
	16. Vishwanath Vassu Sawant.			7. Nakuldas Chandru Sawant.	
	17. Gopal Shankar Sawant.			8. Pratap Anandrao Shinde.	
	18. Shankar Pundalik Sawant.			9. Krishnanand Pundalik Sawant.	
	19. Vishram Atma Sawant.			10. Ramdas Gopal Bandodkar.	
	20. Harichandra Sajo Sawant.			11. Milind Umakant Kerkar.	
	21. Rajaram Sajo Sawant.			12. Prashant Kashinath Sawant.	
	22. Navaso Raghu Sawant.			13. Dhondur Anant Bandekar.	
	23. Bhiva Laxman Sawant.			14. Deepali Dhondur Bandekar.	
	24. Babaji Laxman Sawant.			15. Shrikrishna Vassant Prabhu Mahambre.	
	25. Sahadev Laxman Sawant.			16. Pandurang Shashikant Ekawade.	
	26. Guna Laxman Sawant.			17. Ujwala Gurudas Parsekar.	
	27. Prakash Balkrishna Sawant.			18. Dattaram Baburao Prabhu Gaonkar.	
	28. Parshuram Balkrishna Sawant.			19. Sadanand Rama Pawale.	
	29. Tulsidas Balkrishna Sawant.			20. Ganesh Rama Gad.	
	30. Yeshwant Balkrishna Sawant.			21. Shaila Prakash Jannaik. (322 sq. mts. only)	
	T: Nil.			22. Narayan Nakul Naik.	
72/20 O:	Comunidade.	70		23. Shrikant Mahadev Sawant.	
T:	Purushottam Vithal Sawant.		T:	Nil.	
72/19 O:	Comunidade.	190	93/4 O:	Guno Laxman Sawant.	110
T:	Govind Vishram Sawant.		T:	Nil.	
72/18 O:	Comunidade.	320	78/0 O:	1. Bhiva Laxman Sawant.	3920
T:	Datta Govind Sawant.			2. Guno Laxman Sawant.	
72/17 O:	Comunidade.	1050		3. Babaji Laxman Sawant.	
T:	Harichandra Raghunath Sawant.			4. Sahadeo Laxman Sawant.	
72/16 O:	Comunidade.	300		5. Thankamma Chidambaram Pillai.	
T:	Vishram Atmaram Sawant.			6. The Executive Engineer, Work Division XVII (PHE) G.F.D.I. & II, Porvorim.	
72/15 O:	Comunidade.	285	T:	Nil.	
T:	Vasant Shankar Sawant.		121- O:	1. Krishna Shivram Shenvi	10365
72/14 O:	Comunidade.	235	-121/1	Karapurkar.	
T:	Gajanan Navso Sawant.			2. Mahadeo Shivram Shenvi Karapurkar.	
72/13 O:	Comunidade.	270	T:	Nil.	
T:	Rajaram Sajo Sawant.			Other rights: Datta Gopi Sawant.	
72/12 O:	Comunidade.	285	120- O:	1. Hari Narayan Prabhu Zatyte.	7545
T:	1. Chandru Sagun Sawant.		-120/1	2. Suresh Narayan Prabhu Zatyte.	
	2. Arjun Mukund Sawant.			3. Umesh Narayan Prabhu Zatyte.	
72/11 O:	Comunidade.	405	T:	Nil.	
T:	Chandru Sagun Sawant.			Government of Goa.	
72/10 O:	Comunidade.	630	120- O:	Nil.	
T:	1. Surya Ganesh Sawant.		-120/2	1. Hari Narayan Prabhu Zatyte.	9190
	2. Balkrishna Sada Sawant.			2. Suresh Narayan Prabhu Zatyte.	
	3. Vishwanath Vasu Sawant.			3. Umesh Narayan Prabhu Zatyte.	
72/24 O:	1. Smt. Vijaya Vasant Nadkarni.	55	T:	Nil.	
	2. Manohar Gajanan Karapurkar.			1. Hari Narayan Parab Zatyte.	550
T:	Datta Gopi Sawant.			2. Suresh Narayan Parab Zatyte.	
72/9 O:	Comunidade.	110		3. Umesh Narayan Parab Zatyte.	
T:	Govind Vishram Sawant.		T:	Nil.	
71/24 O:	Comunidade.	25	79/1 O:	1. Hari Narayan Parab Zatyte.	550
T:	Vishnu Shabi Sawant.			2. Suresh Narayan Parab Zatyte.	
97/1 O:	Madhukar Shripad Umarye.	3860		3. Umesh Narayan Parab Zatyte.	
T:	Nil.		T:	Nil.	
97/2 O:	Guno Laxman Sawant.	15			
T:	Nil.				

1	2	3
<i>Boundaries :</i>		
North:	S. No. 36, 68/19, 68/14, 121, 120, 84, 79/1.	
South:	S. No. 68/19, 68/14, 49/1, 121, 120, 84, 79/1, 97/2.	
East :	River, S. No. 64, 62, 58, 67/4, 67/5, 67/6, 67/7, 67/8, 67/9, 67/10, 67/11, 67/12, 67/13, 67/14, 67/15, 67/16, 67/17, 67/18, 67/19, 67/20, 57, 68/8, 68/9, 68/10, 68/11, 68/14, 68/14, 68/19, 72/21, 72/20, 72/19, 72/18, 72/17, 72/16, 72/15, 72/14, 72/13, 72/12, 72/11, 72/10, 97/1, 76/2, 76/1, 78.	
West :	River, S. No. 64, 67/1, 67/2, 67/3, 67/4, 67/5, 66/6, 66/7, 66/8, 66/9, 66/10, 66/11, 66/12, 66/13, 66/14, 67/14, 67/15, 67/16, 67/17, 67/18, 67/19, 67/20, 68/1, 68/2, 68/3, 68/4, 68/5, 68/6, 68/7, 68/8, 68/9, 68/10, 68/11, 68/12, 68/13, 68/14, 68/15, 68/16, 68/17, 68/18, 68/19, 71/24, 72/9, 72/17, 72/16, 72/15, 72/14, 72/13, 72/12, 72/11, 72/10, 72/24, 97/1, 93/4, 92/5, 78, 84, 120, 121.	
		Total: 70185

By order and in the name of the Governor of Goa.

*D. M. Redkar*, Under Secretary (Revenue-I).

Porvorim, 5th November, 2007.

### Notification

No. 23/20/2007-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for construction of road from Khadpaband to Maharwada at Kavalem via Velop in Ponda Taluka (addl. area).

Now, therefore, the Government hereby notifies, under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay

commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa to perform the functions of a Collector, under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of Section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji-Goa.
2. The Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa.
3. The Executive Engineer, Div. XVIII (Roads), P.W.D., Ponda-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Land Acquisition Officer, P.W.D. (Cell), Altinho, Panaji-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

### SCHEDULE

(Description of the said land)

Taluka: Ponda		Village: Queula
Survey No./ /Sub. Div. No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3
79 (part)/1 H:	Shri Deve Shanta Durga. 1. Government of Goa (PWD). 2. Government of Goa, Directorate of Tourism Panaji-Goa.	1250
76 (part)/1 H:	1. Shivaji Babuso Pavar. 2. Shankar Ramchandra Pavar. 3. Utto Devo Pavar. 4. Talia Apa Pavar. 5. Krisna Sucdo Pavar. 6. Tilu Gano Pavar. 7. Pilu Nilo Pavar.	1250

1	2	3	1	2	3
	8. Dulo Raghoba Pavar.		74/29 (part)H:	1. Government of Goa (PWD).	35
	9. Bombi Tilo Pavar.			2. Madhukar Dattatraya Vaidya.	
	10. Putu Ladu Pavar.		T:	Keshav Ram Naik.	
	11. Government of Goa (PWD).		74/30 (part)H:	1. Government of Goa (PWD).	150
74/7 (part) H:	Shrikant Chintamani	15		2. Madhukar Dattatraya Vaidya.	
	Kapleshwarkar.		T:	Govind Naik Bandekar.	
T:	Mahadev Govind Satarkar.		74/31 (part)H:	1. Vittal D. Kapileshwarkar.	06
74/8 (part) H:	Shrikant Chintamani	25		2. Government of Goa (PWD).	
	Kapleshwarkar.		T:	Sono Shiva Naik.	
T:	Laxman Hiru Naik.		75/1 (part) H:	1. Dayanan Saraswati Swami.	1425
74/9 (part) H:	Shrikant Chintamani	25		2. Government of Goa (PWD).	
	Kapleshwarkar.		94/ (part)/1 H:	1. Vithal Kavlekar.	720
T:	Vishno Devo Gawdo.			2. Government of Goa (PWD).	
74/10 (part) H:	Dr. Shrikant Chintamani	25		House belong to Sonu Shiva Naik.	
	Kapleshwarkar.		95/ (part)/1 H:	1. Government of Goa (PWD).	725
T:	Mahadeva Govinda Satarkar.			2. Rajaram C. Kapileshwarkar.	
74/11 (part) H:	Dr. Shrikant Chintamani	35	93/1-A (part)H:	Nirmala Crishna	120
	Kapleshwarkar.			Copleshwarkar.	
T:	Shano Ananta Naik.		93/1 (part) H:	1. Radhabai Krisna	20
74/12 (part) H:	Dr. Shrikant Chintamani	40		Kapleshwarkar.	
	Kapleshwarkar.			2. Government of Goa (PWD).	
T:	Bodo Sucdo Gavdo.			3. Narendra Krisna	
74/13 (part) H:	Dr. Shrikant Chintamani	83		Kapleshwarkar.	
	Kapileshwarkar.			4. Shubhada Narendra	
T:	Purso Bito Naik.			Kapleshwarkar.	
74/14 (part) H:	Dr. Shrikant Chintamani	36		5. Mahendra Krisna	
	Kapileshwarkar.			Kapleshwarkar.	
T:	Budho Sucdo Gawdo.			6. Mahima Mahendra	
74/15 (part) H:	Shrikant Chintamani	35		Kapleshwarkar.	
	Kapileshwarkar.			7. Rajendra Krisna	
T:	Baburao Mono Satarkar.			Kapleshwarkar.	
74/16 (part) H:	Shrikant Chintamani	55		8. Sunita Rajendra	
	Kapileshwarkar.			Kapleshwarkar.	
T:	Shano Ananta Naik.			9. Manohar Krisna	
74/17 (part) H:	1. Shrikant Chintamani	35		Kapleshwarkar.	
	Kapileshwarkar.			10. Milan Manohar	
	2. Government of Goa (PWD).			Kapleshwarkar.	
T:	Vishnu Devo Gavdo.			11. Ganpat Anand Gunem	
74/18 (part)H:	1. Dr. Shrikant Chintamani	15		Kapleshwarkar.	
	Kapileshwarkar.			12. Shantabai Ganapat	
	2. Government of Goa (PWD).			Kapleshwarkar.	
T:	Laxman Quir Naik.			13. Pramila Gunem	
74/24 (part)H:	1. Dr. Shrikant Chintamani	20		Kapleshwarkar.	
	Kapileshwarkar.			14. Rajani Gunem Kapleshwarkar.	
	2. Government of Goa (PWD).		93/1-B(part) H:	Nirmala Krishna	70
T:	Gajanan Pandari Naik.			Kapileshwarkar.	
74/25 (part)H:	1. Chandrabhaga Ragunath	45	93/2 (part) H:	1. Government of Goa (PWD).	250
	Zuarkar.			2. Prakash Datta Prabhu.	
	2. Government of Goa (PWD).		93/3 (part) H:	1. Venktesh Ganesh Kamat.	25
T:	Gajanan Pandari Naik.			2. Government of Goa (PWD).	
74/26 (part)H:	1. Chandrabhaga Ragunath	65	93/4 (part) H:	1. Government of Goa (PWD).	185
	Zuarkar.			2. Shanu Anant Naik.	
	2. Government of Goa (PWD).		93/5 (part) H:	1. Government of Goa (PWD).	195
T:	Jaivant Ganesh Naik.			2. Suman Suresh Barve.	
74/27 (part)H:	1. Government of Goa (PWD).	45	93/6 (part) H:	1. Venktesh Ganesh Kamat.	110
	2. Madhukar Dattatraya Vaidya.			2. Government of Goa (PWD).	
T:	Narshinva Anant Naik.		93/7 (part) H:	1. Ashabai Babaji Sinai Ghode.	340
74/28 (part)H:	1. Government of Goa (PWD).	36		2. Guruprasad Upendra Shinkre.	
	2. Madhukar Dattatraya Vaidya.				
T:	Narayan Kashinath Vaygankar.				

1	2	3
	3. Diwakar Upendra Shinkre.	
	4. Govind Upendra Shinkre.	
	5. Rajendra Somanath Upasani.	
	6. Jyostna Rajendra Upasani.	
	7. Mandar Rajendra Upasani.	
	8. Government of Goa (PWD).	

*Boundaries :*

North :- Road, S. No. 76/1, S. No. 74/25,  
S. No. 75/1, S. No. 75/26, 27, 29, 30,  
S. No. 94, S. No. 93/1-A, S. No. 93/1,  
1-B, 2, 4, 5, 6, 7.

South :- S. No. 74/7, 8, 9, 10, 11, 12, 13, 14,  
15, 16, 17, 18, 24, 25, 26, 27, 28, 29,  
30, 31, S. No. 75, S. No. 95, S. No.  
93/3, 2, 4, 5, 6 and 7.

East : Village Ponda.

West : S. No. 79, S. No. 76/1.

*Taluka:* Ponda

*Village:* Queula

204/1 part H: 1. Shri Devi Shantadurga, 390  
Ponda.  
2. Government of Goa.  
3. Executive Engineer, Div. XVIII(R)  
4. Central PWD.  
O.R.: House owned by Ramchandra  
Narayan Dhawlikar.

*Boundaries :*

North : S. No. 204/1 Part.  
South : S. No. 204/1 Part.  
East : S. No. 204/1 Part.  
West : Village Queula.

Total: 7901

By order and in the name of the Governor of Goa.

*D. M. Redkar*, Under Secretary (Revenue-I).

Porvorim, 6th November, 2007.

**Notification**

No. 23/58/2006-RD

Whereas by Government Notification No. 23/58/2006-RD dated 16-11-2006 published on page 798 of Series II, No. 33 of the Official Gazette, dated 20-11-2006 and in two newspapers (1) "Sunaparant" dated 22-11-2006 and (2) "Navhind Times" dated 22-11-2006 it was notified under Section 4 of the Land Acquisition Act, 1894

(Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was needed for public purpose viz. Land Acquisition for construction of Road from Xelop Curd to Shiranguli in V. P. Khotodem in Valpoi Constituency.

And whereas, the Government of Goa (hereinafter referred to as "the Government") being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) of Section 17 of the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of Section 9 of the said Act, take possession of the said land.

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act, that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of Section 3 of the said Act, the Deputy Collector & SDO, Bicholim-Goa to perform the functions of the Collector, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Deputy Collector & SDO, Bicholim-Goa till the award is made under Section 11.

**SCHEDULE**

(Description of the said land)

*Taluka:* Bicholim

*Village:* Shiranguli

Survey No./ /Sub. Div. No.	Name of the person believed to be interested	Area in sq. mts.
1	2	3

2/1 part O: Fati Mahadeo Gaonkar. 3200

*Boundaries :*

North : S. No. 2.  
South : S. No. 5.  
East : Nala, S. No. 2.  
West : S. No. 2.

Total: 3200

By order and in the name of the Governor of Goa.

*D. M. Redkar*, Under Secretary (Revenue-I).

Porvorim, 12th November, 2007.